

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

BILLY G. TODD

PLAINTIFF

V.

CIVIL ACTION NO. 2:18-cv-2033-MEF

NANCY A. BERRYHILL, Acting
Commissioner Social Security Administration

DEFENDANT

FINAL JUDGMENT

This cause is before the Court on the Plaintiff's complaint for judicial review of an unfavorable final decision of the Commissioner of the Social Security Administration denying his claim for disability benefits. The parties have consented to entry of final judgment by the United States Magistrate Judge under the provisions of 28 U.S.C. § 636(c). The Court, having reviewed the administrative record, the briefs of the parties, the applicable law, and the parties having waived oral argument, finds as follows, to-wit:

Consistent with the Court's ruling from the bench, the decision of the Commissioner of Social Security is reversed and remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

The Court does not find substantial evidence to support the ALJ's RFC determination in this case. The ALJ concluded that Plaintiff could perform a full range of light work; however, Drs. Ted Honghiran and David Sills opined Plaintiff is unable to stand and walk for six hours out of an eight-hour workday. Further, both doctors identified several postural limitations that would prevent the Plaintiff from performing the full range of light work identified by the ALJ. Accordingly, remand is necessary to allow the ALJ to reconsider the Plaintiff's RFC.

On remand, the ALJ is directed to reconsider the Plaintiff's RFC, paying special attention to his ability to stand, walk, climb, balance, bend, kneel, crouch, crawl, and reach.

IT IS SO ORDERED AND ADJUDGED on this 13th day of December 2018.

/s/ **Mark E. Ford**

HON. MARK E. FORD

UNITED STATES MAGISTRATE JUDGE